

MINUTES OF THE PLANNING COMMISSION MEETING OF MARCH 07, 2007 AT 6:00 P.M. HELD IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBER.

MEMBERS PRESENT: Tom Bowen, Geoff Armstrong, Jerri Harwell, Doug Haymore, Gordon Nicholl

STAFF PRESENT: Planning Director Michael Black, Associate Planner Glenn Symes, Planning Intern Camille Peterson, City Attorney Shane Topham, Planning Coordinator Sherry McConkey

MEMBERS EXCUSED: JoAnn Frost, Sue Ryser, Jim Keane, Amy Rosevear

OTHERS PRESENT: Scott Martin, Joyce Shell, Terry Turville, Bev Turville, Robert Cooper, Anton Tonic, Kevin Ririe, Doug Shelby, Mike Young, Abey Baragoshi, Wendy Henderson, Paul Begum, Dave Clark, Mark Durham, Shane Petersen

Chair Bowen called the meeting to order.

1.0 PUBLIC COMMENT

1.1 No public comment was given.

2.0 ACTION ITEM – DANISH HEIGHTS PLANNED UNIT DEVELOPMENT FENCE

2.1 Mr. Symes explained this item is the last condition remaining for Planned Unit Development known as Danish Heights located at 2878 East 7800 South. The public hearing was held on January 17, 2007 at which time a conditional approval was granted with the condition that the applicant bring samples of fencing materials to the Planning Commission for decision. Mr. Symes showed samples of proposed fencing and stated that staff was recommending approval of the fence.

2.2 **MOTION:** Mr. Nicholl moved to approve the fence as proposed. The motion was seconded by Mr. Armstrong and passed unanimously on voice vote.

3.0 PUBLIC HEARING – GENERAL PLAN AMENDMENT – WHITE RAIL RANCH

3.1 Mr. Symes explained the applicant has requested an amendment to the general plan for property located at 7970 S. Highland Drive from Residential Office (RO) to Multi Family Residential (RM). The applicant would like to build a series of twin homes on the property as a planned unit development. The process is to apply for the general plan amendment and if approved a subsequent zone change application would follow. The general plan designation was created as a buffer zone and staff is recommending denial of this request as the (RM) would not provide acceptable buffering.

3.2 Toni Hawkins representing the owner of the property explained produced some papers asking to have two other properties on to this application.

Mr. Symes explained that these additions cannot be added to this application and would need to be applied for separately.

Toni Hawkins explained that these just came in this week and she wanted the Planning Commission to know that it is not just one property and that the property owners from the south would support NC (Neighborhood Commercial).

3.3 Chair Bowen opened the public hearing.

3.4 Antone Hans 8035 Hunters Meadows Circle stated his opposition to this change and believes that the current zoning is best for Farmbrook Estates is not comfortable with the proposed change.

3.5 Joyce Shell 8088 South 2000 East explained that she has researched this proposal and is in support of the change.

3.6 Chair Bowen closed the public hearing.

3.7 Mr. Nicholl explained there seems to be some confusion based on the other parties that would like to see the parties apply together.

3.8 MOTION: Mr. Haymore moved to deny this application based on the recommendation of staff no second was made.

3.9 Toni Hawkins asked if she could withdraw the application and re-submit at a later date.

Mr. Black explained that the application could be withdrawn at any time as was discussed earlier with Ms. Hawkins. Staff would need a letter stating she would like the application withdrawn.

Chair Bowen asked Mr. Topham if the commission could allow one week to receive the letter and if it was not received then the application would be denied.

Mr. Topham advised the commission to continue the item for two weeks.

3.10 MOTION: Mr. Nicholl moved to continue this item for two weeks. The motion was seconded by Mr. Armstrong and passed 4-1 with Mr. Haymore opposed.

4.0 PUBLIC HEARING – GENERAL PLAN AMENDMENT – CITY INITIATED

4.1 Mr. Black explained that Staff has begun the initiation of several amendments to the City's general plan.

#1 1300 East Area

The properties located on 1300 East just to the north of Fort Union Boulevard are currently designated as Commercial under the City's general plan. The commercial designation allows for

all of the commercial zones under the Cottonwood Heights Code of Ordinances. Staff would like to change the designation of these properties, to the Mixed Use or MU designation. The MU designation would eliminate the Regional Commercial zoning options from these properties but would allow an applicant to request the MU, NC, or RO zones. Any application for zone change on these properties would still be subject to the review and discretion of the Planning Commission. All of the properties located in this area are directly adjacent to a residential zone and the MU, NC, and RO zones each have an element of residential compatibility whereas the CR zone generally does not. The lot sizes are also more consistent with a less intensive commercial zone as opposed to the CR zoning classification.

#2 *Creek Road and Union Park*

The properties located in the area of Creek Road and Union Park have a current designation of Commercial and share similar issues with those located on 1300 East and Fort Union Boulevard. The properties on Creek Road are smaller than what would be necessary for the CR zone and are more conducive to less intensive zones such as the NC, MU and RO zones. Any application in this zone, such as the request for zone change at 7425 S. Creek Road, may be analyzed by staff and the Planning Commission for consistency with the surrounding properties. The MU land use designation would eliminate the possibility of a request for the regional commercial or CR zone.

#3 *Bengal Boulevard and 2400 East*

The properties located at approximately 2400 east and Bengal Boulevard has been purchased by the City of Cottonwood Heights for the potential future implementation of the City Center Master Plan. The current designation for these two properties is low density residential and staff is proposing a designation of PF or public facilities.

#4 *Big Cottonwood Canyon Road Area*

This is a request by the City to change the general plan designation of these properties from low density residential to residential office or RO. This property is adjacent to the Spencer's Pond and north of the Holladay City boundary. These areas have a mix of Regional Commercial, Office, Research Park, and Public Facility. The property is surrounded by a creek, small neighborhood with a park, and transitions to the Spencer's Pond area. Staff is recommending Residential Office based on the use of the surrounding properties this zone would act as a buffer zone.

4.2 Chair Bowen opened the public hearing.

4.3 Doug Shelby, Walker Development, explained that the property was previously zoned Historic Commercial and was changed when the city incorporated. Mr. Shelby stated that the change would bring the property back to the same type of zoning as it was under the county. This will allow for a trail system along the creek and around the commercial property which would benefit the community. Mr. Shelby stated that there would be shared parking and access and is in favor of the change.

- 4.4 Damon Miller, Old Mill Point, stated the residents of this community are opposed to this change and prefer the trail in his backyard verses commercial offices. This change would increase traffic, noise, and light pollution and would ruin the esthetic quality of the area.
- 4.5 Dave Clark, Old Mill Estates Homeowners Association, explained that he had written discussions with the 88 homeowners and had several responses in opposition to this change. Mr. Clark stated that he had met with the city previously about this plan and he had requested a plan be drawn to show 8-10 homes with one common drive and has not heard back from staff.
- 4.6 Teril Shields, Old Mill Point, explained that traffic is already an issue in this area for walkers and bikers and this change would only add to that problem. Ms. Shields stated that a trail would be a welcome addition.
- 4.7 Wendy Henderson stated her opposition to this project. She explained that a trail system put through the area is a good idea and commercial is bad for the area.
- 4.8 Chair Bowen closed the public hearing.
- 4.9 **MOTION:** Mr. Armstrong moved to approve the first three items and continue the third item. Motion died for lack of a second.
- 4.10 Chair Bowen suggested item 4 regarding Big Cottonwood Canyon Road remain open to allow additional time for review of items mentioned at this meeting.
- 4.11 Mr. Nicholl explained the Planning Commission is a recommending body to the City Council and did not feel that additional information would be available that would change his decision.
- 4.12 **MOTION:** Mr. Haymore moved to recommend adoption of staff recommendation of the first three items and the forth item regarding Big Cottonwood Canyon Road not be adopted. The motion was seconded by Mr. Armstrong.
- 4.13 Mr. Haymore stated that the citizens that purchased property based on zoning have the right to enjoy the property with the certainty that the zoning would stay residential. Mr. Haymore expressed his belief that the rights of the residents be considered and that they moved into this area with the belief that it would remain residential.
- 4.14 Ms. Harwell explained she was in favor of the first three items and opposed to the forth item regarding Big Cottonwood Canyon Road.
- 4.15 Mr. Armstrong explained that although Doug Shelby had stated his support to this change he had not initiated it. He stated that his opposition to the change on Big Cottonwood Canyon Road and support of the other three items.
- 4.16 Chair Bowen explained that staff should be allowed time to review the comments of this meeting.

4.17 Motion passed 4-1 with Chair Bowen opposed.

4.18 Mr. Black explained this item will be taken to the City Council with the recommendations from this meeting. He stated that the City Council will not mail out a notice and information on the City Council agendas are posted on the City's website.

5.0 **DISCUSSION ITEM – MIXED USE ORDINANCE AMENDMENT**

5.1 Mr. Black explained that this is a recommended name change to chapter 19.36 from Mixed Use (MU) to Regional Mixed Use (RMU). This would be a good time for members to look over the portion of the code and make any changes that may need to be made.

6.0 **PLANNING DIRECTOR'S REPORT**

6.1 Mr. Black gave the commission an overview of projects.

7.0 **MOTION:** Ms. Ryser moved to adjourn the meeting. The motion was seconded by Ms. Frost and passed unanimously on voice vote.

Meeting adjourned at 7:45 p.m.

Approved: 4-18-07 sm